

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF 3100 5315 (TPM); Beauvais

August 24, 2010

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Valley Center Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is not located near any floodway or floodplain fringe area as defined in the Resource Protection Ordinance (RPO), nor is it near a watercourse plotted on any official County floodway or floodplain map.

Steep Slopes:

The average slope for the property is 17.1 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the

proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego certified archaeologist Carolyn Kyle of Kyle Consulting and it has been determined that the property does not contain any archaeological/ historical sites. Grading monitoring, consisting of a County-approved archaeologist and Native American observer, will be a required condition of project approval because of the proximity of known archaeological sites, lack of ground visibility during the survey, and because the area to be developed consists mostly of undisturbed native vegetation.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

The project Storm Water Management Plan, received February 18, 2010 has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

The project consists of a seven single family residential lots immediately adjacent to Old Castle Road. Staff has also conducted an in-house review modeling the anticipated future traffic noise levels from Old Castle Road. The project subdivision is subject to the County Noise Element which requires proposed exterior noise sensitive land uses (NSLU) to a noise level of 60 decibels-A (dBA) Community Noise Equivalent Level (CNEL). The County General Plan EIR 2030 Referral LOS and Volume Plot Plan map shows a future average daily trip (ADT) of 6,500 on the segment of Old Castle Road. Preliminary noise prediction estimates indicate that the future traffic 60 dBA CNEL would be located approximately 110 feet from the Old Castle road centerline. Based on the project preliminary grading plans, all proposed NSLU and buildable areas fall

outside this noise contour threshold. The project subdivision, as currently designed demonstrates consistency with the County Noise Element.

The project subdivision is also subject to the temporary construction noise operations pursuant to the County Noise Ordinance, 36.409. The noise study prepared by Eilar Associates dated June 3, 2010 evaluates the construction noise impacts in detail and provides noise mitigation measures to ensure the temporary construction activities comply with County noise standards. Primary noise sources exceeding the noise level limits of 75 dBA at the occupied property lines consists of grading operations. Proposed Lots 1 and 2 would generate a worst-case construction noise level as high as 79.6 dBA at the eastern property line. Proposed Lot 6 would generate a construction noise level of 76.9 dBA at the western property line. Temporary noise mitigation barriers shall be eight-feet in height and are required along the property lines of Lots 1, 2, and 6. Lot 1 would require the temporary noise barrier along the eastern property line of Lot 1 extending 190 feet shielding the proposed pad. Lot 2 would require the temporary noise barrier on the eastern property line of Lot 2 extending 170 feet. A similar temporary construction noise barrier would be located along the western property line of Lot 6. Installation of these required temporary noise mitigation measures would reduce noise levels at Lots 1, 2, and 3 to 66.3, 66.2, and 64.5 dBA respectively. Therefore, incorporation of temporary construction noise mitigation measures would reduce noise levels to less than significant and comply with the County Noise Ordinance, 36.409.